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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,112	10/11/2001	Greg Mercurio	CISCP715	1734
54406 7590 06/29/2007 AKA CHAN LLP / CISCO 900 LAFAYETTE STREET SUITE 710 SANTA CLARA, CA 95050			EXAMINER CAI, WAYNE HUU	
			ART UNIT 2617	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/977,112	Applicant(s) MERCURIO, GREG	
	Examiner Wayne Cai	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 and 29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 and 29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed June 11, 2007 have been fully considered but they are not persuasive.

The Applicant argues and tries to overcome the prior arts of records by amending claims. The Examiner carefully reviews the submitted prior arts. However, it appears to the Examiner that the prior arts of records still read on the claimed invention. Therefore, new rejections and explanations are introduced below.

Firstly, the Examiner notes that the phrase "static location information" as recited within claim is broadly and reasonably interpreted as whereabouts information, address information, or position information.

The disclosure of Lewis specifically teaches or suggests that the mobile terminals 21 (i.e., roaming devices of claimed invention) register with a given access point 19 (i.e., a transceiver or wireless transceiver of claimed invention) in order to carry out communications between the mobile terminal and other devices connected to the network 10. The main processor 30 is coupled to the memory 34, which enables the memory 34 to store a log that keep track which transceiver device the mobile terminals registered to. This log is known as the look-up table as seen in figure 3 of Lewis. Furthermore, this look-up table has two columns: **the first column identifies the mobile terminal ID and network address**, and the second column identifies the transceiver

device that each mobile terminal is registered to. For example, MT 21a is registered to transceiver 36a, MT 21b is registered to transceiver 36b, and so on.

Since the look-up table of Lewis is capable of keeping track of each mobile terminal ID and network address associated with each transceiver, and **the network address is obvious and known in the art as an identification of the location, position, or whereabouts of the mobile terminal.** Hence, the mobile terminal ID and the address network associated with each mobile terminal, and stored in the look-up table clearly reads on "static location information" because the network address does identify the location of the mobile terminal. Hence, the teaching of Lewis reads on claimed invention.

The Applicant further argues on page 9 of Remarks that Lewis fails to teach or even suggest adding step and the record storing step. The Examiner respectfully disagrees. Lewis clearly teaches or suggests that each mobile terminal (e.g., MT 21a, MT 21b...) are added and stored in the memory 34 of transceiver device (i.e., access point 19) as seen in figure 3. Since the processor 30 is capable of updating the look-up table (i.e., table seen in figure 3), and storing this update in memory 34 (see figure 1), it means that the static location information is added and stored.

Independent claim 1, 7, 17 and 29 are similarly recited; therefore, they are also rejected for the same reasons set forth above, and detailed rejections set forth below.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-6 are rejected under 35 U.S.C. 101 because of the following reasons:

Regarding claim 1, independent claim 1 recites “**a wireless transceiver device comprising:**

computer code stored in said wireless transceiver device, said computer code for causing static input information to be accepted;

a memory;

computer code stored in said wireless transceiver device, said computer code for causing a record to be generated; and

a processor for executing the computer codes.”

The Examiner respectfully re-introduces and maintains this rejection because it is still unclear to the Examiner whether the Applicant intends to claim a program or an apparatus since the claim recites both computer program product and the hardware mixed in together. Therefore, the Examiner invites the Applicant to clarify this issue.

Claims 2-6 depend either directly or indirectly on independent claim 1; therefore, they are also rejected for the same reasons set forth above.

Claim Objections

Claim 5 is objected to because of the following informalities:

Claim 5, lines 3-5 recites "the computer code for causing the static input information to be accepted include computer code for causing the static input information to be accepted..." It should be corrected as "the computer code for causing the static location information to be accepted include computer code for causing the static location input information to be accepted".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-17, and 19- 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kabala (US 6,539,393) in view of Lewis (US 6,259,898).

Regarding claims 1, 7, 17, Kabala discloses a method for utilizing a transceiver device, the transceiver device being a wireless transceiver device, the transceiver device having a communications range, the method comprising:

receiving an indication that a roaming device is within the communication range (col. 5, lines 40-50 teaches or suggests the attendees view a produce and faces the product and transmissions from his badge on the name tag are received by the respective transceiver disposed proximal to that product.);

creating a record, the record being arranged to include information associated with the roaming device (fig. 5 and its descriptions teaches or suggests the record having information associated with the attendees.)

Kabala, however, does not specifically teach or suggest all other claim limitations.

In a similar endeavor, Lewis discloses multi-communication access point. Lewis also discloses:

receiving static location information (first column of figure 3) into an editable field stored in a memory (i.e., memory 34) associated with the transceiver device (i.e., access point 19), the static location information being information pertaining to the transceiver device and storing the static location information into the editable field (fig. 3, and its descriptions. Also, see col. 5, lines 9-25, and col. 6, lines 13-46);

adding the static location information into the record and storing the record in the memory (fig. 3, and its descriptions).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kabala in view of Lewis.

The motivation/suggestion for doing so would have been to effectively keep the record of the roaming device having access to the network.

Regarding claims 2, and 8, Kabala and Lewis disclose all limitations recited within claims as described above. Kabala further discloses including computer code stored in said wireless transceiver device, said computer code for obtaining the data, wherein the data is obtained when the roaming device is in communication with the

wireless transceiver device (i.e., when an attendee carries a badge and approach to the particular transceiver located at the booth).

Regarding claims 3-4, and 9-10, Kabala and Lewis disclose all limitations recited within claims as described above. Kabala also discloses wherein the computer code for causing the record associated with the roaming device to be generated includes computer code for causing the record associated with the roaming device to be generated when the roaming device registers/deregisters with the wireless transceiver device (col. 5, lines 1-29).

Regarding claim 11, Kabala and Lewis disclose all limitations recited within claims as described above. Kabala also discloses wherein the input information is a location associated with the wireless transceiver device (i.e., the booth identification).

Regarding claim 12, Kabala and Lewis disclose all limitations recited within claims as described above. It is also obvious to one skilled in the art to include wherein the location includes at least one of a longitude, a latitude, and an altitude associated with the transceiver device because it indicates the geographical location of the transceiver device.

Regarding claims 6, 13, and 22, Kabala and Lewis disclose all limitations recited within claims as described above. Kabala also discloses the wireless transceiver device is an access point (i.e., the transceivers, fig. 1, element 151-162, and the first device is a roaming device (i.e., the badges).

Regarding claim 14, Kabala and Lewis disclose all limitations recited within claims as described above. Kabala also discloses wherein the access point is a pad of

a wireless local area network, the transceiver device further including: means for obtaining the data from the first device (i.e., the badges, or attendee) when the first device is in communication with the transceiver device to access the wireless local area network (col. 6, line 60 – col. 7, line 6).

Regarding claim 15, Kabala and Lewis disclose all limitations recited within claims as described above. Kabala also discloses wherein the means for generating the record associated with the first device includes means for placing the data obtained from the first device in the record and means for placing the input information stored in the editable field in the record (fig. 5, and its descriptions).

Regarding claim 16, Kabala and Lewis disclose all limitations recited within claims as described above. Kabala also discloses wherein the means for generating the record further includes means for obtaining the input information from the editable field (col. 6, lines 1-45).

Regarding claim 19, Kabala and Lewis disclose all limitations recited within claims as described above. Kabala further discloses wherein the record is created after the indication that the roaming device is within the communications range is received (col. 5, lines 40-67).

Regarding claim 20, Kabala and Lewis disclose all limitations recited within claims as described above. Kabala also discloses wherein adding the static information into the record includes reading the static information from the editable field (col. 6, lines 1-45).

Regarding claim 21, Kabala and Lewis disclose all limitations recited within claims as described above. Kabala also discloses wherein the static information is information associated with a location of the transceiver device (i.e., the badges information is associated with the booth identification which is a location of the transceiver device).

Regarding claim 23, Kabala and Lewis disclose all limitations recited within claims as described above. Kabala also discloses obtaining the information associated with the roaming device when the indication that the roaming device is within the communications range is received (col. 5, lines 40-67).

Claims 5, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kabala (US 6,539,393) in view of Lewis (US 6,259,898), and further in view of Nishino (US 6,233,452 B1).

Regarding claims 5, and 18, Kabala and Lewis disclose all limitations recited within claims as described above, but do not specifically disclose features of these claims.

In a similar endeavor, Nishino discloses a wireless information processing terminal and controlling method. Nishino also discloses wherein the static location input information is a location associated with the wireless transceiver device, and the computer code for causing the static location input information to be accepted include computer code for causing the static location input information to be accepted from a

source that is external to the wireless transceiver device (fig. 5, boxes S212 & S214 and its descriptions).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the step of accepting static input from a source that is external to the wireless transceiver device because it is an alternative option to input information.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis (US 6,259,898) in view of Raviv et al. (hereinafter "Raviv", US 2002/0164983).

Regarding claim 29, Lewis discloses a method for utilizing an access point, the access point having a communications range, the method comprising:

receiving static information into an editable field stored in a memory of the access point (memory 34 of access point 19), the static information being information pertaining to the access point;

storing the static information into the editable field (col. 4, lines 29-46);

receiving an indication that a roaming device is within the communication range (col. 3, lines 45-60 teaches or suggests when the roaming device is registering with a given access point);

creating a record after registering the roaming device, the record being arranged to include information associated with the roaming device (i.e., figure 3 illustrates the information associated with the roaming device);

obtaining the static information from the editable field (col. 5, lines 9-25 teaches or suggests to review a look-up table in memory 34 to determine if the roaming device 21 is registered and/or which particular transceiver is assigned to communicate with particular roaming device 21. Also, col. 6, lines 13-25 teaches or suggests whether transceiver 36a or 36b is available in order to assign it to the roaming device 21);

adding the static information into the record; and storing the record in the memory (i.e., to assign the transceiver 36a or 36b and store in the table as illustrated in figure 3. Also see col. 6, lines 26-46).

Lewis, however, does not specifically teach or suggest all other claim limitations.

In a similar endeavor, Raviv discloses a method and apparatus for supporting cellular data communication to roaming mobile telephony devices. Raviv also discloses wherein registering the roaming device includes performing a remote authentication (paragraph 0254).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Lewis in view of Raviv.

The motivation/suggestion for doing so would have been to effectively verify and provide services to the roaming devices.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wayne Cai whose telephone number is (571) 272-7798. The examiner can normally be reached on Monday - Thursday from 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on (571) 272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Wayne Cai
Art Unit 2617



DUC M. NGUYEN
SUPERVISORY PRIMARY EXAMINER
TECHNOLOGY CENTER 2600